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Attorney for Defendant, *Trevion Darnell Mitchell*

**UNITED STATES DISTRICT COURT
CLARK COUNTY, NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TREVION DARNELL MITCHELL,

Defendant.

CASE No.: 2:21-CR-00156-JCM-VCF-1

**STIPULATION TO EXTEND REPLY DEADLINE TO
MITCHELL'S REPLY TO GOVERNMENT'S
OPPOSITION TO MOTION TO SUPPRESS [ECF NO.
56]**

(FIFTH REQUEST)

IT IS HEREBY STIPULATED BY AND BETWEEN Defendant TREVION DARNELL MITCHELL, by and through his counsel, LANCE J. HENDRON, ESQ. of the Law Firm HENDRON LAW GROUP, LLC, and Plaintiff, United States of America, by and through Jason M. Frierson, United States Attorney and Kenneth Nicholas Portz, Assistant United States Attorney, that the due date for Mitchell's Reply to Government's Opposition to Motion to Suppress [ECF 56] be extended from September 14, 2022 to September 30, 2022.

The Stipulation is entered into for the following reasons:

1. Counsel for Defendant was recently appointed to this matter in place of prior counsel that prepared the motion to suppress.
2. Although this is the Fifth Request to extending the reply brief, this is newly appointed counsel's first request to extend the reply's deadline.
3. The defendant is incarcerated and does not object to the extension.

1 4. The parties agree to the extension.

2 5. The additional time requested herein is not sought for purposes of delay, but merely
3 to allow counsel for defendant the ability to become acquainted with the matter and
4 briefing on the motion to suppress and government's opposition to the motion.
5

6 6. Additionally, denial of this request for continuance could result in a miscarriage of
7 justice. The additional time requested by this Stipulation is excludable in
8 computing the time within which the trial herein must commence pursuant to the
9 Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering
10 the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv)
11 investigation of the discovery materials provided. This is the first stipulation to be
12 filed herein.
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14

15 DATED this 16th day of September, 2022.

16 Respectfully Submitted,
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18 /s/ Lance J. Hendron, Esq.
19 Lance J. Hendron, Esq.
20 Attorney for Defendant

21 /s/ Nicholas Portz
22 Jason M. Frierson
23 United St Attorney
24 Kenneth Nicholas Portz
25 Assistant United States Attorney
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**UNITED STATES DISTRICT COURT
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CASE No.: 2:21-CR-00156-JCM-VCF-1

Plaintiff,

vs.

TREVION DARNELL MITCHELL,

Defendant.

FINDINGS OF FACTS, CONCLUSION OF LAW AND ORDER

Based on the pending Stipulation of Counsel, and good cause appearing therefore, the Court finds:

1. Counsel for Defendant was recently appointed to this matter in place of prior counsel that prepared the motion to suppress.
2. Although this is the Fifth Request to extending the reply brief, this is newly appointed counsel's first request to extend the reply's deadline.
3. The defendant is incarcerated and does not object to the extension.
4. The parties agree to the extension.
5. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant the ability to become acquainted with the matter and briefing on the motion to suppress and government's opposition to the motion.

1 6. Additionally, denial of this request for continuance could result in a miscarriage of
2 justice. The additional time requested by this Stipulation is excludable in
3 computing the time within which the trial herein must commence pursuant to the
4 Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering
5 the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv)
6 investigation of the discovery materials provided. This is the first stipulation to be
7 filed herein.
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10 **ORDER**

11 **IT IS HEREBY ORDERED** that the Defendant herein shall have to and including
12 September 30, 2022, to file his reply to Government's Opposition to Motion to Suppress
13 [ECF 56].
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15 **DATED** this 19th day of September, 2022.

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18 **UNITED STATES MAGISTRATE JUDGE**